

appears: "Numeral 12 designates a back cover to prevent dust from attaching to the sensor matrix." (Underline by applicant.). Since element 12 in Fig. 1 is on the opposite side of the card from the lights 10, this means that the lights are in front of the card, and not behind it. Further, as there do not appear to be any apertures in "back cover" 12, no light beam originating at light source 10 could reach the eye of a user. Also the process described in the '337 patent to Yamashita is automated (electronic), so there is no mention of a "user" or any "hand-positioned cutter assembly." Applicant has made no claim to the concept of "front lighting" a ballot card, such as disclosed by Ahmann in U.S. Pat. No. 3,620,587, Figure 8, element 73.

Applicant feels that the rejection of his claims on the basis of any use of the concept of passing light through a card being read electronically is too different from the subject invention, in both objective and structure, to be justifiable.

Nevertheless, applicant wishes to make doubly sure that the subject patent is in condition for allowance as soon as possible under its Special Treatment status. Toward that end, applicant wishes to make several insertions to the claims that do not narrow the claims unduly. These are included in the enclosed amended specification, which withdraws Claims 12 and 14 in preference to providing antecedents for them. Claims 13 to 18 are re-numbered, as Claims 12 to 16.

Also enclosed is a clean copy of the entire application, including all changes from the original submission plus correction of a couple of typos. I send this in the hope that allowances may now be forthcoming.

Sincerely,

A handwritten signature in black ink, reading "William Rouverol". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

William Rouverol

Encl.: References 5 and 8.

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News

Democrats to investigate county's voting machines

By Marc Caputo, Palm Beach Post Staff Writer
Wednesday, November 29, 2000

Democrats challenging George W. Bush's Florida victory are looking into whether some Palm Beach County voting machines kept people from having their presidential vote recorded.

Jack Corrigan, an attorney for the Democrats, said Tuesday that the party has submitted a public records request to the county's elections supervisor to find out which machines were used at which precincts.

There are two machines in question: the Votomatic and its imitation, the Data Punch.

A Palm Beach Post computer analysis showed that people who voted on the Data Punch machines were three times more likely to produce a ballot with no vote for president.

"The numbers don't lie," Corrigan said. "We'll be investigating this further."

At issue is whether the county's 10,311 non-votes for president -- known as "under-votes" -- resulted from voter apathy or a technical problem.

Democrats want a court to force another look at the ballots in question. They hope the Data Punch statistics will give them a better chance of persuading elections officials to discern marks on these ballots, such as "dimples," to see if more votes could be counted for Gore.

Republicans, however, say it's another desperate attempt to postpone an inevitable Bush victory.

"What people don't realize is there are thousands of people who didn't want to vote for president," said Bush spokesman Tucker Eskew. "It's not the machines."

Still, for some reason, more people on the Data Punch machines under-voted.

Some 5,089 people under-voted on the Data Punch; 5,222 on the Votomatic. But only one-third of the county's voters used the Data Punch.

Percentage-wise, the county's under-vote rate was 2.2 percent. The Votomatic percentage is 1.2 percent. The Data Punch, 4.2 percent.

The machine's manufacturer, Election Data Corp. in Valley Center, Calif., said the machines are fine and that the county is responsible for any problem with them. The county says that all the machines were tested and cleaned at least twice and that any blame for under-voting belongs to the voters themselves.

Wednesday, November 29, 2000

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EXHIBIT A: THE MIAMI HERALD
State of Florida Reporting of Undervotes for Punch Card Counties

For All Counties And Precincts

PRESIDENTIAL RACE										OTHER RACES*	
CANDIDATE NAME**	DIMPLE	PINPRICK	DETACHED 1 CORNER	DETACHED 2 CORNER	DETACHED 3 CORNER	PUNCHED CLEANLY	NO MARK	TOTAL BALLOTS	DIMPLED	HANGING CHADS	PUNCHED CLEANLY
Blank	322	115	16	66	60	3275	0	3854	706	668	3394
BROWNE/OLIVIER	140	26	1	2	0	6	0	175	114	26	99
BUCHANAN/FOSTER	190	30	0	2	1	6	0	229	121	33	173
BUSH/CHENEY	10004	750	132	304	512	458	0	12158	5305	3505	11300
GORE/LIEBERMAN	10745	807	79	255	297	970	0	13153	5962	3852	12118
HAGELIN/GOLDHABER	106	71	1	0	1	12	0	191	115	38	106
HARRIS/TROWE	69	61	0	1	0	2	0	123	93	34	50
McREYNOLDS/HOLLIS	29	7	1	0	0	2	0	39	31	3	17
MOOREHEAD/LARIVA	59	7	0	0	0	2	0	68	61	6	28
NADER/LADUKE	298	36	4	6	7	21	0	372	214	99	262
Nomark	0	0	0	0	0	0	23856	23856	2484	2519	15479
PHILLIPS/FRAZIER	100	2	0	0	0	30	0	132	80	9	61
Grand Totals:	22062	1902	234	636	878	4782	23856	54350	15286	10790	43087

* This tabulation is a compilation of markings with respect to other races on those ballots on which there were either markings for one presidential candidate or no markings for any presidential candidate.

** Blank consists of markings on a line where there was no presidential candidate.

Note (1): The number of ballots for Bush and Gore that had a dimple in the presidential race and a dimple in the other races were as follows:
Bush 4593
Gore 5240

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Note (2): The number of ballots not included above that had a written candidate name in the presidential race were as follows:
Bush 37
Gore 46
Other 1

BDO Soldman, LLP